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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/764,772	01/16/2001	Daniel S. Bricklin	85151.911CPAC	8917

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[REDACTED] EXAMINER

FEILD, JOSEPH H

ART UNIT	PAPER NUMBER
2176	

DATE MAILED: 03/07/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.  
**09/764,772**

Applicant(s)

**BRICKLIN ET AL**

Examiner  
**Joseph H. Feild**

Art Unit  
**2176**



-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

1)  Responsive to communication(s) filed on Jan 28, 2002

2a)  This action is FINAL.                    2b)  This action is non-final.

3)  Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

### Disposition of Claims

4)  Claim(s) 1-69 is/are pending in the application.

4a) Of the above, claim(s) 1-39, 43-57, and 61-69 is/are withdrawn from consideration.

5)  Claim(s) \_\_\_\_\_ is/are allowed.

6)  Claim(s) 40-42 and 58-60 is/are rejected.

7)  Claim(s) \_\_\_\_\_ is/are objected to.

8)  Claims \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

9)  The specification is objected to by the Examiner.

10)  The drawing(s) filed on \_\_\_\_\_ is/are objected to by the Examiner.

11)  The proposed drawing correction filed on \_\_\_\_\_ is: a) approved b) disapproved.

12)  The oath or declaration is objected to by the Examiner.

### Priority under 35 U.S.C. § 119

13)  Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

a) All b) Some\* c) None of:

1.  Certified copies of the priority documents have been received.

2.  Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.

3.  Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\*See the attached detailed Office action for a list of the certified copies not received.

14)  Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

### Attachment(s)

15)  Notice of References Cited (PTO-892)

18)  Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_

16)  Notice of Draftsperson's Patent Drawing Review (PTO-948)

19)  Notice of Informal Patent Application (PTO-152)

17)  Information Disclosure Statement(s) (PTO-1449) Paper No(s). \_\_\_\_\_

20)  Other: \_\_\_\_\_

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1. This office action is responsive to Election, filed 1/28/02.
2. Claims 1-69 are pending. Claims 40-42 and 58-60 have been elected. The remaining claims are withdrawn from consideration.

***Claim Rejections - 35 USC § 102***

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. § 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

4. Claims 40-42 and 58-60 are rejected under 35 U.S.C. § 102(e) as being anticipated by Gentner (5,724,595).

5. Regarding independent claims 40 and 58, refer to Gentner's abstract, figures 2-4, and column 2 (line 63) through column 4 (line 19). Gentner discloses:

"creating a link between a first lexia and a second lexia". See abstract, in which he discloses *creating a link in an orginal hypertext document to a target hypertext document.*

"displaying said first lexia in a lexia display window on a display screen". See figure 2 (10).

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"displaying a graphical element representing said second lexia in a hypermedia work display window on said display screen". See figures 2 and 3--anchor icon.

"selecting a location for an activation area for said link in said lexia display window". See figure 2 (16).

"selecting said graphical element in said hypermedia work display window". See column 3 (top), in which he discloses *control icons 18, called the "drag icons", which in the preferred embodiment is a representation of a ship's anchor*. Refer also to column 3 (lines 34-55), in which Gentner discloses *moving the mouse cursor over the drag target in the control area of the target window and pressing the select button on the mouse*.

Regarding dependent claims 41-42 and 59-60, refer to Gentner's figure 3 (20) and column 3 (lines 51-54), in which he discloses "extracting a label", and "said link activation area comprises said label"--*the title of the target page is inserted into the text of the original page at the location of the mouse pointer*.

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## ***Conclusion***

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Joseph Feild whose telephone number is (703) 305-9792. The examiner can normally be reached on Monday, Tuesday, and Friday from 8:30 a.m. to 5:00 p.m. (EST).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Heather Herndon, can be reached on (703) 308-5186. However, in such a case, please allow at least one business day.

The fax phone numbers for the organization where this application or proceeding is assigned are as follows:

(703) 746-7239 (Official Communication)

**(703) 746-7240 (For Status Inquiries, draft communication)**

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-3900.

*Joseph H. Feild*  
Joseph H. Feild  
Primary Examiner  
Art Unit 2176

28 February 2002